

Remarks

Applicants request reconsideration of the application in view of the above amendments and the following remarks. Claims 1 to 10 were canceled during preliminary amendments. Claims 11 to 19 are presently pending. Claims 17 and 18 have been amended. It is believed that no new matter has been added by way of any amendments provided herein.

Drawings, Specification

New pages 1-9 are herewith submitted and new drawings.

Claim Objections

Claims 17 and 18 were amended according to Examiner's requirements in paragraph 2 of the official action.

Claim Rejections under 35 USC § 102, 103

The Examiner rejects claim 11 under 35 U.S.C. 102(b) as being anticipated by *Mueller et al.* (US 6,230,804). The Applicants respectfully disagree on this statement. Column 14 and especially lines 5 to 63 do not disclose presence of the first fibrous component made of metallic fiber. Federal Trade Commission gives definition for Metallic Fiber as, a manufactured fiber composed of metal, plastic-coated metal, metal-coated plastic, or a core completely covered by metal (http://en.wikipedia.org/wiki/Metallic_fiber). Those metallic fibers can be made of amorphous metal or non-amorphous (e.g. crystalline) metal, both type being possible in present application. However, US 6,230,804 discloses only fibrous minerals of the type metal silicate (for example line 13 with wollastonite - wollastonite is a calcium inosilicate mineral (CaSiO₃))

that may contain small amounts of iron, magnesium, and manganese substituting for calcium). This is emphasized lines 8-10, where “*The term "silicate" as used herein refers to those compounds containing silicon, oxygen, and one or more metals*”. Also the fiber contains a metal ion, but never the fiber is metallic as defined by FTC. US 5,421,409 incorporated by reference in US 6,230,804, as well do not disclose metallic fiber.

Also, US 6,230,804 is silent on the density of the second fibrous component **and** also because of absence of first fibrous component, the second fibrous component can not be present at a concentration of less than 10% by mass of the total fibrous content of the fluid.

Therefore, claim 11 and dependent claims are novel over the disclosure of the reference.

As stated in the current application of the Applicants, purpose is to provide a fluid containing a second fibre component with different properties, which can form a network in the base fluid which traps the first fibre component and prevents or hinders settling (page 2, lines 12-15). As stated above, US 6,230,804 does not teach on use of two types of fibrous component. In US 6,230,804, fibrous materials are used for increasing tensile strength, flexural strength, and/or compressive strength of the cured cement composition (Column 14, lines 20-23) or for reducing the potential for cement debris formed under high stress conditions (Column 15, lines 58-60) i.e. same purpose of re-enforcing cured cement. First, no teaching on settling of the fibrous material is disclosed and secondly, no teaching on use of fibrous material with different properties is disclosed in US 6,230,804. Therefore, the ordinary skill in the art is first not motivated to modify the method of *Mueller et al.* in US 6,230,804 and secondly one skilled in the art would not be motivated to refer to *Baret et al.* in US 6,458,198 nor to combine the two references.

Therefore, claim 11 and dependent claims involve an inventive step and are not rendered obvious by the combination of Mueller and Barat et al.

Applicants believe this reply to be fully responsive to all outstanding issues. Applicants therefore respectfully request that a Notice of Allowance be issued for claims 11-19.

This paper is submitted in response to the Office Action dated January 9, 2007.

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Respectfully submitted,

A handwritten signature in cursive script, appearing to read 'Darla Fonseca', written over a horizontal line.

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